



17 August 2009

Stockland Development Pty Ltd
c/- Humphreys Reynolds Perkins Pty Ltd
Level 20
344 Queen Street
Brisbane Qld 4000

Attn: Lelsa Sinclair

Dear Sir

AMENDED CONDITIONS OF DEVELOPMENT APPROVAL

**Rockhampton Region: Bruce Highway (Rockhampton - St Lawrence) &
Rockhampton - Yeppoon Road
Proposed Material Change of Use - Major Shopping Outlet - Commercial Premises,
Restaurant, Shop and Take-away Food Store
Application N° D-1571/2007
Lot 100 on CP864562, Lot 240 on LN2285 and Lots 7 & 8 on RP612359
and Part of Moores Creek
Situated at Situated at 249 Musgrave Street, Yaamba Road & Blanchard Street
For Stockland Development Pty Ltd**

Thank you for your letter received by this department on 6 August 2009. Your request for the Department of Transport and Main Roads to change its condition/s of development approval relative to the above application has been investigated.

In accordance with section 3.5.25(4) of the *Integrated Planning Act 1997* the department offers no objection to the change in the development Condition 2.1. In accordance with Section 3.5.33 of the *Integrated Planning Act 1997* the Department of Main Roads, as a Concurrence Agency, has assessed the impact of the proposed change to the development on the State-controlled road network and advises that it is prepared to issue new conditions as outlined in the attached Amended Conditions of Development Approval and Statement of Reasons.

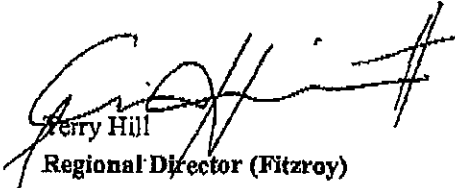
Road Business Group / Regional Operations
Flitzroy Region / Rockhampton Office
31 Knight Street North Rockhampton Queensland 4701
PO Box 5086 Central Queensland Mall Centre 4702

ABN 57 836 727 711

Our ref 830/611 AAB:hlm E39701 (DCT 924)
Your ref 050084L21.001(DMRChange).doc
Enquiries Amanda Barram
Telephone +61 7 4931 1588
Facsimile +61 7 4931 1552
Website www.transportandmainroads.qld.gov.au

A copy of this letter has been sent to the Rockhampton Regional Council - Rockhampton Office for information and action as required.

Yours sincerely



Terry Hill
Regional Director (Fitzroy)

Rockhampton Region: Bruce Highway (Rockhampton - St Lawrence) & Rockhampton - Yeppoon Road
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 Application No. D-1571/2007
 Lot 108 on CP864562, Lot 248 on LN2285 and Lots 7 & 8 on RP612359 and Part of Moores Creek
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 For Stockland Development Pty Ltd

**Queensland
Government**

TRANSPORT & MAIN ROADS' AMENDED CONDITIONS OF DEVELOPMENT APPROVAL
(INCLUDING STATEMENT OF REASONS)

1. ACCESS DIRECT TO/FROM THE STATE-CONTROLLED ROADS	1.1 Access direct to/from the state-controlled roads for the proposed development shall be permitted as follows: 1.1.1 Signalised access at Musgrave Street/K-Mart Access/Clifton Street intersection generally in accordance with Qantec McWilliam conceptual plan T1-01-10 Intersection Option 2 dated 9-11-07 (as attached in Attachment A) with No Right Turn from Musgrave Street into the centre and allowing double lanes Right Turn egressing the centre. Clifton Street shall remain left in and left out. 1.1.2 The remainder of the development accesses to the state-controlled roads shall be as per existing arrangement, namely: Left in & Left out at Musgrave St/Blanchard St. Signalised full access at Yaamba Rd/Cowap St	The site has frontage to two State-controlled roads. The department shall limit access to the State-controlled roads to maintain capacity and serviceability of the network and reduce localised conflicts.	Transport and Main Roads has the power under section 62 of the <i>Transport Infrastructure Act 1994</i> to control access to the State-controlled road to ensure safety of development traffic and through traffic. Department of Transport and Main Roads' Road Policy Manual (7/2000) - Access Policy.
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Rockhampton Region: Bruce Highway (Rockhampton - St Lawrence) & Rockhampton - Yeppoon Road
 Proposed Material Change of Use (Major Shopping Outlet - Commercial Premises, Restaurant, Shop and Take-away Food Store)
 Application No. D-1571/2007
 Lot 100 on CP864562, Lot 240 on LN2286 and Lots 7 & 8 on RP612359 and Part of Moores Creek
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	intersection (Stockland access north of Moores Creek), Left in & Left out at Yaamba Rd/Stockland access (north of Moores Creek) and Left in & Left out at Moores Creek Road/Stockland access 1.1.3 The provision of a signalised intersection at Musgrave Street/K-Mart Access/Clifton Street is conditional upon the preparation, to the satisfaction of the Main Roads, of co-ordination signal timing plans in STREAMS format for the intersections along Yaamba Road and Musgrave Street between and including the major intersections at Moores Creek Road/Yaamba Road and Musgrave Street/High Street to be implemented in 2008. The plans shall include a review of the signal phasing at the Musgrave Street/K-Mart Access/Clifton Street to address any possible conflict in the heavy vehicular swept paths into Clifton Street and the westbound queueing traffic in Clifton Street.
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These plans shall be submitted PRIOR to any operational works application for works on Musgrave Street. The plans shall be supported by TRANSYT or Paramics analysis of the Yaamba Road and Musgrave Street road section from Moores Creek Road to High Street for the 2009 and 2018 horizons.

Within a month of the centre opening, the operation of the Musgrave Street site access intersections and the High Street/Musgrave Street intersection shall be reviewed and amended timing plans submitted to Main Roads to manage any operational issues identified in the review.

If an acceptable solution, satisfactory to Main Roads, cannot be implemented, then the existing access arrangement at the Musgrave Street/K-Mart access shall remain (left in/let out at the Musgrave Street/K-Mart access intersection) and the post opening review of the operations will not be required.

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 Lot 100 on CP864562, Lot 240 on LN2285 and Lots 7 & 8 on RP612339 and Part of Moores Creek
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1.2 Should signalisation of the Musgrave Street/K-Mart access/Clifton Street intersection proceed (as per 1.1), then the right turn short lane on the northern approach in Musgrave Street to the Musgrave Street/High Street signalised intersection shall be lengthened to provide the maximum storage for the right turners into High Street west at the Musgrave Street/High Street intersection.

1.3 The proposed works in Musgrave Street and the internal vehicular bridge shall be completed prior to the issue of the Certificate of Classification for Building Works for the development. The proposed intersection works in Musgrave Street including the signalisation shall not be made operational to vehicular usage until the completion of the internal vehicular bridge over Moores Creek, the approval of the co-ordination signal timing plans and operational works for works in the state-controlled road reserve and acceptance of the works by the department.

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(INCLUDING STATEMENT OF REASONS)

	1.4 The proposed works and further investigation/review outlined in (1.1) and (1.2) above as offered by the developer shall provided at the developer's cost.		
2.	PARKING No parking associated with the development is permitted on the State-controlled roads (Musgrave Street, Yaamba Road and Moores Creek Road) including parking of vehicles and plant associated with the construction works. All parking shall be provided within the development site. 2.1 Prior to the commencement of use of the development, the Applicant shall, for the full length of Musgrave Street and Yaamba Road frontages of the development site: • Provide a painted yellow edge line in the kerbside lane to restrict parking. • Erect 'No Standing' signage along the kerb and channel.	Uncontrolled parking in the State-controlled road reserve is a concern. The Department is concerned that any parking demand from the development overflowing onto the state-controlled roads can impact on the safety and efficiency of the State-controlled road	Transport and Main Roads has the power under section 2 of the <i>Transport Infrastructure Act 1994</i> to require all parking for the Development to be provided within the site.

Rockhampton Region: Bruce Highway (Rockhampton - St Lawrence) & Rockhampton - Yeppoon Road
 Proposed Material Change of Use (M2) for Shopping Outlet - Commercial Premises, Restaurant, Shop and Take-away Food Store
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 Lot 108 on CP864502, Lot 240 on LN2285 and Lots 7 & 8 on RP612359 and Part of Moores Creek
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3. LIGHTING On-site security floodlights and/or advertising sign lighting or other lighting associated with the development shall be located, angled or shielded to avoid distraction or glare to the passing motorists. The Applicant shall submit the details to the Department of Main Roads for assessment of any impacts on the State-controlled roads (Musgrave Street, Yaamba Road and Moores Creek Road).	Glare from on-site security floodlights and/or advertising sign lighting or other lighting from the development distracting or otherwise adversely affecting the vision of motorists on the adjacent State-controlled road.	Transport and Main Roads has the power under section 2 of the <i>Transport Infrastructure Act 1994</i> to control lighting that may adversely impact on the safety and efficiency of the State-controlled road.
4. ENCROACHMENT There shall be no encroachment (including awnings) in the road reserves of the state-controlled roads. The development and its associated facilities shall be fully contained within the development site with no encroachment onto the state controlled roads.	The Department is concerned that these associated facilities can impact on the safety objectives of the state-controlled road.	Transport and Main Roads has the power under sections 2 and 50 of the <i>Transport Infrastructure Act 1994</i>.

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5. ADVERTISING/SIGNAGE	All external advertising/signage associated with the development shall not impact on the safety of motorists using the state-controlled road. The Applicant shall submit the details for proposed advertising devices/signage to the Department of Main Roads for assessment of any impacts on the State-controlled roads (Musgrave Street, Yaamba Road and Moores Creek Road).	On-site advertising/signage distracting or otherwise adversely affecting motorists on the adjacent State-controlled road.	Transport and Main Roads has the power under section 2 of the <i>Transport Infrastructure Act 1994</i> to control advertising /signage that may adversely impact on the safety and efficiency of the State-controlled road.
6. CONSTRUCTION WORKS	The site works, building works and material cartage shall not result in environmental emissions (dust, waste, material spillage, stormwater, pollution) onto the state controlled roads.	The Department is concerned that these emissions can impact on the safety and operational cost of the State-controlled roads.	Transport and Main Roads has the power under section 48 of the <i>Transport Infrastructure Act 1994</i> .
7. PUBLIC UTILITY SERVICES	Where services (required to serve this development) are proposed be laid/placed within the boundaries of the State-controlled road reserve, they shall be laid/placed in accordance with Main Roads requirements.	The Department is concerned that the placement of services by developers in the State-controlled road reserve may restrict future upgrading works in the reserve.	Transport and Main Roads has the power under section 33 of the <i>Transport Infrastructure Act 1994</i> .
Corridor Management & Operations Fitzroy Region		Page 7 of 10	Ref: File No. 8306611 AAS: Nbn E39761 (DET 924)



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DEVELOPMENT PLANS			
8. The development shall be undertaken generally in accordance with the development plan FDG Retail Plans 0225-DA-01 to 15 dated 13/03/2006 except where varied by these conditions.	The proposed development plans provide the basis of the assessment of the impacts on the state-controlled road.	Transport and Main Roads has the powers under Section 2 to ensure that the development is carried out in accordance to the approved plan and the stated level of impact on the state-controlled road to ensure that the safety and efficiency objectives are not compromised.	
9. Preparation of plans (in accordance with RFCD-0101) and submission of plans to the Rockhampton office of Department Main Roads for approval. NO OPERATIONAL WORKS (INCLUDING INSTALLATION OF SERVICES) ARE TO COMMENCE WITHIN THE STATE-CONTROLLED ROAD RESERVE UNTIL APPROVAL OF THE PLANS SHOWING THE OPERATIONAL WORKS IS ISSUED BY THE DEPARTMENT. This approval may be subject to conditions related to the operational works construction process.	Plans are required to be submitted to the department to demonstrate the operational works proposed to be constructed within the State-controlled road reserve. Amendments may be required to the plans showing the operational works prior to the issuing of the approval to construct.	Transport and Main Roads has the power under section 33 of the <i>Transport Infrastructure Act 1994</i> to require plans of proposed works to be submitted for review and acceptance prior to the works commencing.	

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	ALL OPERATIONAL WORKS ARE REQUIRED TO BE COMPLETED AND ACCEPTED BY THE DEPARTMENT OF MAIN ROADS PRIOR TO THE ISSUE OF THE CERTIFICATE OF CLASSIFICATION FOR BUILDING WORKS FOR THE DEVELOPMENT OR OTHER REQUISITE DATE AS STATED IN THE PARTICULAR CONDITION FOR THE DEVELOPMENT.	There is uncertainty about the future traffic patterns and the resultant impact of the intersection on the safety and efficiency of the state-controlled road.	<i>Transport Infrastructure Act 1994</i>
10.	SECURITY BOND Prior to the pre-start meeting for construction of the intersection, the Applicant shall provide a security bond to the value of 15% of the contract amount. The security bond will be held by the department until the end of the defects liability period (12 months after Practical Completion is accepted by the department) The security Bond shall be either of the following: An irrevocable and unconditional bank guarantee. The costs of incidentals to providing the bond (including without limitation - all stamp duty and other taxes payable in respect to the bond) shall be borne by the		

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	Developer, or • A bank cheque made out to the Department of Main Roads.		Transport and Main Roads has the power under section 2 of the <i>Transport Infrastructure Act 1994</i> .
11. GENERAL All conditions stated above are required to be completed prior to the issue of the Certificate of Classification for Building Works for the development unless otherwise stated within the condition. BONDING OF ANY OF THE CONDITIONS NOT COMPLETED PRIOR TO THE ISSUE OF THE CERTIFICATE OF CLASSIFICATION FOR BUILDING WORKS FOR THE DEVELOPMENT OR OTHER REQUISITE DATE AS STATED IN THE PARTICULAR CONDITION WILL NOT BE PERMITTED UNLESS THE DEPARTMENT OF MAIN ROADS HAS GIVEN WRITTEN AGREEMENT TO THE BONDING OF THE CONDITION		The Department is concerned the non fulfilment of its conditions and the bonding of the conditions without the Department's agreement can compromise the safety and efficiency objectives of the state-controlled road.	